

**SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK**

Index No.: \_\_\_\_\_/19

-----X  
**ARNE HAUGHWOUT,**

**Plaintiff designates  
NEW YORK COUNTY  
as place of trial.**

*Plaintiff,*

**The basis of venue is  
defendants' principal place  
of business**

**-against -**

**ARCHDIOCESE OF NEW YORK, ST. SYLVESTER  
CHURCH and EDWARD WEBER,**

**SUMMONS**

**Plaintiff's residence  
address is  
31 SE Flamenco Way  
Port St. Lucie, FL 34952**

*Defendants.*  
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To the above-named defendants:

**YOU ARE HEREBY SUMMONED** to answer the complaint in this action and to serve a copy of your answer or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's Attorneys within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case your failure to appear or answer, judgement will be taken for the relief demanded herein.

**A COPY OF THIS SUMMONS WAS FILED WITH THE CLERK OF THE COURT,  
NEW YORK COUNTY ON \_\_\_\_\_ IN COMPLIANCE WITH CPLR §§305(a)  
AND 306(a).**

Dated: New York, New York  
August 14, 2019

MERSON LAW, PLLC

By: \_\_\_\_\_



Jordan K. Merson  
Attorneys for Plaintiff  
150 East 58<sup>th</sup> Street 34<sup>th</sup> Floor  
New York, New York 10155  
(212) 603-9100

TO:

**ARCHDIOCESE OF NEW YORK**

1011 1st Avenue,  
New York, New York 10022

**ST. SYLVESTER CHURCH**

854 Targee Street  
Staten Island, New York 10304

**EDWARD WEBER**

452 Madison Avenue  
New York, New York 10022

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

Index No.: \_\_\_\_\_/19

-----X  
ARNE HAUGHWOUT,*Plaintiff,*

-against -

**VERIFIED  
COMPLAINT**ARCHDIOCESE OF NEW YORK, ST. SYLVESTER  
CHURCH, and EDWARD WEBER*Defendant.*-----X  
Plaintiff(s), above named, complaining of the defendants, by **MERSON LAW,**  
**PLLC.**, respectfully allege(s):**NATURE OF THE CLAIM**

1. This is a case of plaintiff Arne Haughwout who was sexually abused as a child by Monsignor Edward Weber ("Weber") at and of St. Sylvester Church ("Church") and Archdiocese of New York ("Archdiocese").
2. Weber was a priest at St Sylvester Church in Staten Island, New York which was part of the Archdiocese. Weber was known among the community and the children as a sexual predator.
3. Despite the Archdiocese and Church's knowledge that Weber sexually abused children and/or had the propensity to sexually abuse children, the Archdiocese and Church allowed Weber unfettered access to children, on Diocese premises without supervision.
4. Beginning in or about 1978 and continuing until approximately 1983, Weber, while under the scope of employment with the Archdiocese and Church and while acting on behalf of the Archdiocese and Church, Weber would sexually abuse Plaintiff, then between eleven and sixteen years old, by fondling, rubbing and/or groping Plaintiff's

penis, forcing Plaintiff to engage in oral sex, digitally penetrating and otherwise sodomizing Plaintiff's anus and otherwise sexually abusing him.

5. Plaintiff was sexually abused by Weber at least one hundred and fifty times.
6. Plaintiff brings this lawsuit to recover for the emotional and physical suffering he endured because of the negligence of the Archdiocese of New York and St. Sylvester Church and to make sure no other child is forced to suffer the abuse and physical and mental trauma he felt and continues to feel.

#### PARTIES

7. At all times herein mentioned defendant **ARCHDIOCESE OF NEW YORK** was a not for profit corporation incorporated in the state of New York and by virtue of the laws of the State of New York.
8. At all times herein mentioned, defendant **ARCHDIOCESE OF NEW YORK** was located at 1011 1<sup>st</sup> Avenue, New York, New York 10022.
9. At all times herein mentioned, Weber was a priest operating under the direction and control of defendant **ARCHDIOCESE OF NEW YORK**, and its agents, servants and/or employees.
10. At all times herein mentioned, Weber was an agent, servant and/or employee of defendant **ARCHDIOCESE OF NEW YORK**.
11. At all times herein mentioned, defendant **ARCHDIOCESE OF NEW YORK** controlled and/or operated St. Sylvester Church located at 854 Targee Street, Staten Island, New York 10304.
12. At all times herein mentioned defendant **ST. SYLVESTER CHURCH** was a not for profit corporation incorporated in the state of New York and by virtue of the laws of the State of New York.



13. At all times herein mentioned, defendant **ST. SYLVESTER CHURCH** was located at 854 Targee Street, Staten Island, New York 10304.
14. At all times herein mentioned, Weber was a priest operating under the direction and control of defendant **ST. SYLVESTER CHURCH**, and its agents, servants and/or employees.
15. At all times herein mentioned, Weber was an agent, servant and/or employee of defendant **ST. SYLVESTER CHURCH**.
16. At all times herein mentioned, defendants **ARCHDIOCESE OF NEW YORK** and **ST. SYLVESTER CHURCH** were agents, servants, employees and/or alter egos of each other.

#### **FACTS OF THE CASE**

17. Defendants **ARCHDIOCESE OF NEW YORK** and **ST. SYLVESTER CHURCH**'s negligence and recklessness caused Weber to have access to children without supervision, including on Defendant's Premises, despite its knowledge that Weber sexually abused children and/or had the propensity to sexually abuse children and therefore are responsible for the injuries that Plaintiff incurred because but for Defendants **ARCHDIOCESE OF NEW YORK** and **ST. SYLVESTER CHURCH**'s negligence, Plaintiff would not have suffered the mental and physical anguish inflicted by Weber. Defendant's gross negligence, reckless, wanton, and/or willful conduct supports punitive liability.
18. Weber sexually assaulted Plaintiff and many other young patrons of St. Sylvester Church in Staten Island, New York. Nonetheless, defendants **ARCHDIOCESE OF NEW YORK** and **ST. SYLVESTER CHURCH** failed to remove Weber from his position as a priest or to take any steps to keep the dangerous predator away from

children. In fact, the Archdiocese and Church continued to allow, encourage and/or permit Weber to have unfettered access to children, without proper supervision.

19. At all times herein mentioned, Plaintiff was in foster care.
20. Plaintiff's foster home mandated that he attend church at St. Sylvester Church every Sunday where Weber was the priest. Weber led every Sunday mass Plaintiff attended.
21. Beginning in or about 1979 and continuing through approximately 1983, Weber sexually abused Plaintiff in the Rectory and Altar at St. Sylvester Church and other venues.
22. Weber requested Plaintiff stay after the mass and when he did, Weber began fondling, rubbing, and/or groping Plaintiff's penis. Weber then took his pants off and forced Plaintiff to perform oral sex on him.
23. Weber would also pin Plaintiff down so he could not move and digitally penetrated then sodomized Plaintiff's anus until he ejaculated. Plaintiff would cry and beg Weber to stop to no avail.
24. When Plaintiff threatened to tell the police that Weber was sexually abusing him, Weber told Plaintiff if he ever told anyone about the abuse, Plaintiff would never see his twin brother again.
25. Weber used his position of authority and power provided to him by the Archdiocese and Church in order to get Plaintiff alone and manipulate him into feeling helpless and afraid so that he would not disclose the abuse.
26. Weber sexually abused Plaintiff at least one hundred and fifty times.
27. As such, Plaintiff suffered catastrophic and lifelong injuries as a result of defendant **ARCHDIOCESE OF NEW YORK** and **ST. SYLVESTER CHURCH's** negligence in undertaking a duty, including but not limited to in locis parentis, in failing to protect

the children of its parishes and of its community safe from Weber despite the Archdiocese having knowledge that Weber sexually abused children and/or had the propensity to sexually abuse children, and/or allowing Weber to continue to have his position of authority and power, and the Archdiocese and Church failed to adequately supervise Weber.

**AS AND FOR A FIRST CAUSE OF ACTION FOR NEGLIGENCE**

**AGAINST ARCHDIOCESE OF NEW YORK**

28. Plaintiffs repeat, reiterate and reallege each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 27. inclusive, with the same force and effect as if hereinafter set forth at length.
29. At all times mentioned herein, defendant **ARCHDIOCESE OF NEW YORK** owed a duty of care, including but not limited to in locis parentis, to keep the young patrons, students and children of its parishes, including plaintiff safe from sexual abuse by its clergymen under its supervision and control, including on company premises, that ultimately befell the plaintiff, and they had a duty to supervise Weber.
30. At all times mentioned herein, defendant **ARCHDIOCESE OF NEW YORK** and/or its agents, servants and/or employees breached the above-stated duty in a negligent, reckless, willful and wanton manner, and caused Plaintiff to be sexually assaulted.
31. As a result of the negligence of defendant **ARCHDIOCESE OF NEW YORK** and/or its agents, servants and/or employees, plaintiffs were caused serious personal injuries, emotional distress, mental pain and suffering, mental anguish and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.

32. By reason of the foregoing, Plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate.
33. By reason of the foregoing, Plaintiff is entitled to punitive damages from defendants in such sums as a jury would find fair, just and adequate.
34. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
35. This action falls within exceptions to Article 16 of the C.P.L.R.

**AS AND FOR A SECOND CAUSE OF ACTION FOR NEGLIGENT HIRING,  
RETENTION AND SUPERVISION AGAINST ARCHDIOCESE OF NEW YORK**

36. Plaintiff repeats, reiterates and realleges each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 35., inclusive, with the same force and effect as if hereinafter set forth at length.
37. Defendant **ARCHDIOCESE OF NEW YORK**, had a duty to supervise and prevent known risks of harm to the young patrons, students and children of its parishes, including plaintiff by its clergymen.
38. Defendant was negligent in hiring, retaining and supervising their personnel, such as Weber, who were careless, unskillful, negligent, reckless and acted in a willful and wanton manner in not possessing the requisite knowledge and skill of priests and church officials and other church supervisors who should have properly been supervising the priests and church officials to ensure the safety of the children of its parishes.
39. Defendant **ARCHDIOCESE OF NEW YORK** knew or should have known Weber sexually abused and/or had the propensity to sexually abuse children and did nothing to stop it, and failed to properly supervise Weber.
40. As a result of such negligent hiring, supervising and retention, Plaintiff was caused to suffer serious personal injuries, emotional distress, conscious pain and suffering, mental



anguish and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.

41. By reason of the foregoing, Plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate.
42. By reason of the foregoing, Plaintiff is entitled to punitive damages from defendants in such sums as a jury would find fair, just and adequate.
43. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
44. This action falls within exceptions to Article 16 of the C.P.L.R.

**AS AND FOR THE THIRD CAUSE OF ACTION FOR NEGLIGENT INFLICTION  
OF EMOTIONAL DISTRESS AGAINST ARCHDIOCESE OF NEW YORK**

45. Plaintiff repeats, reiterates and realleges each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 44., inclusive, with the same force and effect as if herein set forth at length.
46. Defendant **ARCHDIOCESE OF NEW YORK** and their agents, servants and/or employees, knew or reasonably should have known that the failure to properly advise, supervise and hire Weber the priest who sexually abused Plaintiff, would and did proximately result in physical and emotional distress to Plaintiff.
47. Defendant **ARCHDIOCESE OF NEW YORK** and their agents, servants and/or employees knew or reasonably should have known that the sexual abuse and other improper conduct would and did proximately result in physical and emotional distress to Plaintiff.
48. Defendant has the power, ability, authority and duty to intervene with and/or stop the improper conduct that resulted in Plaintiff being sexually abused by Weber.

49. Despite said knowledge, power and duty, defendant negligently failed to act so as to stop, prevent, and prohibit the improper conduct that resulted in Weber sexually abusing Plaintiff.
50. By reason of the foregoing, Plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate.
51. By reason of the foregoing, Plaintiff is entitled to punitive damages from defendants in such sums as a jury would find fair, just and adequate.
52. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
53. This action falls within exceptions to Article 16 of the C.P.L.R.

**AS AND FOR A FOURTH CAUSE OF ACTION FOR NEGLIGENCE**

**AGAINST ST. SYLVESTER CHURCH**

54. Plaintiffs repeat, reiterate and reallege each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 53. inclusive, with the same force and effect as if hereinafter set forth at length.
55. At all times mentioned herein, defendant **ST. SYLVESTER** owed a duty of care, including but not limited to in locis parentis, to keep the young patrons, students and children of its parishes, including plaintiff safe from sexual abuse by its clergymen under its supervision and control, including on company premises, that ultimately befell the plaintiff, and they had a duty to supervise Weber.
56. At all times mentioned herein, defendant **ST. SYLVESTER CHUCH** and/or its agents, servants and/or employees breached the above-stated duty in a negligent, reckless, willful and wanton manner, and caused Plaintiff to be sexually assaulted.

57. As a result of the negligence of defendant **ST. SYLVESTER CHURCH** and/or its agents, servants and/or employees, plaintiffs were caused serious personal injuries, emotional distress, mental pain and suffering, mental anguish and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.
58. By reason of the foregoing, Plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate.
59. By reason of the foregoing, Plaintiff is entitled to punitive damages from defendants in such sums as a jury would find fair, just and adequate.
60. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
61. This action falls within exceptions to Article 16 of the C.P.L.R.

**AS AND FOR A FIFTH CAUSE OF ACTION FOR NEGLIGENT HIRING,  
RETENTION AND SUPERVISION AGAINST ST. SYLVESTER CHURCH**

62. Plaintiff repeats, reiterates and realleges each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 61., inclusive, with the same force and effect as if hereinafter set forth at length.
63. Defendant **ST. SYLVESTER CHURCH**, had a duty to supervise and prevent known risks of harm to the young patrons of its parishes by its clergymen.
64. Defendant was negligent in hiring, retaining and supervising their personnel, such as Weber, who were careless, unskillful, negligent, reckless and acted in a willful and wanton manner in not possessing the requisite knowledge and skill of priests and church officials and other church supervisors who should have properly been supervising the priests and church officials to ensure the safety of the children of its parishes.

65. Defendant **ST. SYLVESTER CHURCH** knew or should have known Weber sexually abused and/or had the propensity to sexually abuse children and did nothing to stop it.
66. As a result of such negligent hiring, supervising and retention, Plaintiff was caused to suffer serious personal injuries, emotional distress, conscious pain and suffering, mental anguish and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.
67. By reason of the foregoing, Plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate.
68. By reason of the foregoing, Plaintiff is entitled to punitive damages from defendants in such sums as a jury would find fair, just and adequate.
69. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
70. This action falls within exceptions to Article 16 of the C.P.L.R.

**AS AND FOR THE SIXTH CAUSE OF ACTION FOR NEGLIGENT INFLICTION  
OF EMOTIONAL DISTRESS AGAINST ST. SYLVESTER CHURCH**

71. Plaintiff repeats, reiterates and realleges each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 70., inclusive, with the same force and effect as if herein set forth at length.
72. Defendant **ST. SYLVESTER CHURCH** and their agents, servants and/or employees, knew or reasonably should have known that the failure to properly advise, supervise and hire Weber the priest who sexually abused Plaintiff, would and did proximately result in physical and emotional distress to Plaintiff.
73. Defendant **ST. SYLVESTER CHURCH** and their agents, servants and/or employees knew or reasonably should have known that the sexual abuse and other improper conduct would and did proximately result in physical and emotional distress to Plaintiff.



74. Defendant has the power, ability, authority and duty to intervene with and/or stop the improper conduct that resulted in Plaintiff being sexually abused by Weber.
75. Despite said knowledge, power and duty, defendant negligently failed to act so as to stop, prevent, and prohibit the improper conduct that resulted in Weber sexually abusing Plaintiff.
76. By reason of the foregoing, Plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate.
77. By reason of the foregoing, Plaintiff is entitled to punitive damages from defendants in such sums as a jury would find fair, just and adequate.
78. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
79. This action falls within exceptions to Article 16 of the C.P.L.R.

**AS AND FOR THE SEVENTH CAUSE OF ACTION FOR ASSAULT  
AS TO EDWARD WEBER**

80. Plaintiff repeats, reiterates and realleges each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 79., inclusive, with the same force and effect as if herein set forth at length.
81. Defendant **EDWARD WEBER's** predatory, abusive, manipulative and unlawful acts against Plaintiff, created a reasonable apprehension in Plaintiff of immediate harmful or offensive contact to plaintiff's person, all of which were done intentionally by defendant **EDWARD WEBER** to plaintiff without plaintiff's consent.
82. As a direct and proximate result of the aforementioned assault, Plaintiff has sustained in the past, and will continue to sustain in the future, serious and severe psychological injuries and emotional distress, mental anguish, embarrassment and humiliation.

83. As a direct and proximate result of the aforementioned assaults, plaintiff has incurred medical expenses and other economic damages, and will now be obligated to expend sums of money for medical care and attention in effort to cure himself of his injuries and to alleviate his pain and suffering, emotional distress, mental anguish, embarrassment and humiliation.
84. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendant **EDWARD WEBER** in such sums a jury would find fair, just and adequate, and the plaintiff is further entitled to punitive and exemplary damages from defendant **EDWARD WEBER** in such sums as a jury would find fair, just and appropriate to deter said defendant and others from future similar misconduct.
85. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
86. This action falls within exceptions to Article 16 of the C.P.L.R.

**AS AND FOR THE EIGHTH CAUSE OF ACTION FOR BATTERY**  
**AS TO EDWARD WEBER**

87. Plaintiff repeats, reiterates and realleges each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 86., inclusive, with the same force and effect as if herein set forth at length.
88. When Plaintiff was approximately eleven years old, defendant **EDWARD WEBER** intentionally and unlawfully sexually abused Plaintiff by rubbing, fondling and/or groping his penis, and digitally and otherwise sodomizing plaintiff's anus.
89. Defendant **EDWARD WEBER** unlawful, abusive, manipulative, and predatory acts against plaintiff, amounted to a series of harmful and offensive contacts to plaintiff's person all of which were done intentionally by defendant to plaintiff without plaintiff's consent.

90. As a direct and proximate result of the aforementioned batteries, Plaintiff has sustained in the past, and will continue to sustain in the future, psychological injury, pain and suffering, serious and severe psychological and emotional distress, mental anguish, embarrassment and humiliation.
91. By reason of the foregoing, plaintiff is entitled to compensatory damages from defendant **EDWARD WEBER** in such sums a jury would find fair, just and adequate, and plaintiff is further entitled to punitive and exemplary damages from defendant **EDWARD WEBER** in such sums as a jury would find fair, just and appropriate to deter said defendant and others from future similar misconduct.
92. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
93. This action falls within exceptions to Article 16 of the C.P.L.R.

**AS FOR A NINTH CAUSE OF ACTION FOR INTENTIONAL INFLECTION  
OF EMOTIONAL DISTRESS AGAINST EDWARD WEBER**

94. Plaintiff repeats reiterates, and reallages each and every allegation contained in those paragraphs of the Complaint marked and designated 1. through 93., inclusive, with the same force and effect as if hereafter set forth at length.
95. Defendant **EDWARD WEBER** engaged in outrageous conduct towards plaintiff with the intention to cause, or with reckless disregard for the probability of causing, plaintiff to suffer severe emotional distress by sexually assaulting him while he was an child patron at and of St. Sylvester Church.
96. As a proximate result of the aforementioned assaults, batteries, and other violations committed against Plaintiff, he has suffered and continues to suffer extreme mental

distress, humiliation, anguish, and emotional and physical injuries, as well as economic losses, all his damage in amounts to be proven at trial.

97. Defendant **EDWARD WEBER** committed the acts alleged herein maliciously, fraudulently, and oppressively with the wrongful intention of injuring plaintiff from an improper and evil motive amounting to malice and in conscious disregard of plaintiff's rights, entitling plaintiff to recover punitive damages in amounts to be proven at trial.
98. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
99. This action falls within the exceptions to Article 16 of the C.P.L.R.

WHEREFORE, plaintiff demands judgement against defendant in such sum as a jury would find fair, adequate and just.

Dated: New York, New York  
August 14, 2019

MERSON LAW, PLLC

By:



Jordan K. Merson  
Sarah R. Cantos  
Attorneys for Plaintiff  
150 East 58<sup>th</sup> Street 34<sup>th</sup> Floor  
New York, New York 10155  
(212) 603-9100



SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

Index No.: \_\_\_\_\_/19

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ARNE HAUGHWOUT,

Plaintiff,

-against -

**ATTORNEY  
VERIFICATION**ARCHDIOCESE OF NEW YORK, ST. SYLVESTER  
CHURCH and EDWARD WEBER

Defendant.

-----X

JORDAN K. MERSON, an attorney duly admitted to practice in the Courts of New York State, and a member of the firm MERSON LAW, PLLC., attorneys for the plaintiffs in the within action, hereby affirms under penalty of perjury:

That he has read the within complaint and knows the contents thereof, and that the same is true to his own knowledge, except as to the matters therein stated to be alleged upon information and belief, and that as to those matters he believes it to be true.

That the sources of his information and knowledge are investigations and records in the file.

That the reason this verification is made by affirmant and not by the plaintiff is that the plaintiff is not within the County where the attorney has his office.

Dated: New York, New York  
August 14, 2019

  
JORDAN K. MERSON

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Year 2019

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

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ARNE HAUGHWOUT,

Plaintiff,

-against -

ARCHDIOCESE OF NEW YORK, ST. SYLVESTER  
CHURCH and EDWARD WEBER,

Defendants.

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SUMMONS AND VERIFIED COMPLAINT

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Merson Law, PLLC.

*Attorneys for Plaintiff(s)*

*Office and Post Office Address, Telephone*  
150 East 58<sup>th</sup> Street 34<sup>th</sup> Fl.  
New York, New York 10155  
(212) 603-9100

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To: All Parties

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